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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

| | | |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | CR: 98-40120 SBA |
| Plaintiff, |) | 06-00472 SBA |
| |) | 06-00824 SBA |
| vs. |) | |
| |) | |
| DAVID LEE DUCKART, |) | STIPULATION AND ORDER |
| |) | EXONERATING REAL PROPERTY |
| Defendant. |) | BONDS ON DEPOSIT WITH THE COURT |
| |) | |

The parties hereby stipulate, through their respective counsel, STEPHEN CORRIGAN, Assistant United States Attorney for plaintiff United States of America and GARRICK S. LEW, attorney for defendant DAVID LEE DUCKART, that defendant's San Ramon property bond may be exonerated at this time.

On April 15, 2008, the court entered Judgment of conviction against defendant and the parties stipulate and agree that a Reconveyance of the following Deeds of Trust recorded against the following properties on the dates stated below should be ordered by the court.

1. June 26, 2006 Deed of Trust with Assignment of Rents for the real property located at 2622 Derby Drive, San Ramon, CA 94583 shall to be executed by RICHARD WIEKING, Clerk of the Court in favor of DAVID LEE DUCKART. The short form Deed of Trust and Assignment of Rents in the amount of \$500,000 was recorded in Contra Costa County on July 6, 2006, instrument

1 no. DOC-2006-0213982-00.

2 2. December 11, 2007 Deed of Trust with Assignment of Rents for the real property
3 located at 2622 Derby Drive, San Ramon, CA 94583 shall to be executed by RICHARD WIEKING,
4 Clerk of the Court in favor of DAVID LEE DUCKART. The short form Deed of Trust and
5 Assignment of Rents in the amount of \$250,000 was recorded in Contra Costa County on July 6,
6 2006, instrument no. DOC-2007-0336538-00.

7 3. December 11, 2007 Deed of Trust with Assignment of Rents for the real property
8 located at 2012 Marconi Way, South Lake Tahoe, California shall to be executed by RICHARD
9 WIEKING, Clerk of the Court in favor of DAVID LEE DUCKART. The short form Deed of Trust
10 and Assignment of Rents in the amount of \$750,000 was recorded in El Dorado County on December
11 21, 2007, instrument no. DOC-2007-0078287-00.

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13 DATED: October 23, 2008

_____/s/_____
Stephen Corrigan
Assistant United States Attorney

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16 DATED: October 18, 2008

_____/s/_____
GARRICK S. LEW
Attorney for Defendant David Lee Duckart

17
18
19 ORDER


20 Based upon the above stipulation of the parties, good cause appearing,

21 **IT IS HEREBY ORDERED** that the above described property be exonerated as surety for
22 bail in the instant action.

23 **IT IS FURTHER ORDERED** that defense counsel Garrick S. Lew prepare a Reconveyance
24 of the Deed of Trust form for the property to be exonerated. Upon receipt of the instant order and
25 Reconveyances of the Deeds of Trust for the above described properties, the Clerk of the United
26 States District Court, as Trustee under the deed of trust, shall reconvey the described properties to
27 DAVID LEE DUCKART who originally pledged said property as bail. The Clerk of the Court shall
28

1 then send the Reconveyances of Deeds of Trust to Garrick S. Lew Esq., 600 Townsend Street, Suite
2 329E, San Francisco, CA 94103, for recording of the Reconveyance in the appropriate counties.

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5 DATED:10/27/08


The Hon. Sandra B. Armstrong
United States District Court Judge